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FEB 21 2006

For The Northern Mariana Islands
By _____
(Deputy Clerk)

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UNITED STATES DISTRICT COURT
NORTHERN MARIANA ISLANDS

UNITED STATES OF AMERICA,

Plaintiff,

v.

FERMINA ATALIG,

Defendant,

Criminal Case No. 05-00004

**UNITED STATES' PROPOSED
JURY VOIR DIRE QUESTIONS**

Trial: Jury
Date: February 27, 2006
Time: 9:00 a.m.
Judge: Hon. Alex R. Munson

The United States of America, by and through its undersigned attorneys, hereby submits
the attached proposed jury voir dire questions.

LEONARDO M. RAPADAS
United States Attorney
Districts of Guam and the NMI

Date: 2/21/06

By: T.E. Moran
TIMOTHY E. MORAN
Assistant United States Attorney

1 In addition to the following questions, the Government respectfully requests that the
2 Court, at the beginning of the voir dire, instruct all prospective jurors to pay close attention to all
3 of the Court's questions. Then, as additional jurors are selected to fill vacant seats, the Court
4 should ask that newly seated juror whether they would have responded affirmatively to any of the
5 Court's general questions and should follow up as appropriate.

6 **Nature of Case**

- 7 1. Is there anything about the subject of this case, that is, allegations of conspiracy to
8 defraud the United States Government and submitting documents containing false
9 statements to the United States Federal Emergency Management Administration and
10 Department of Labor, that makes you not want to be involved in the trial of this case? If
11 so, what is it?
- 12 2. We have all been through typhoons and had to recover from them. Would you be able to
13 be a fair and impartial juror in this case which involves allegations that the defendant
14 conspired with typhoon victims to submit false documents in order to receive disaster
15 assistance from the federal government?
- 16 3. Do you believe that you would be able to be fair and impartial and render a verdict solely
17 on the evidence presented at trial and the law as it is explained to you by the court?
- 18 4. Do you believe that the United States Government should give federal disaster assistance
19 more generously or freely?
- 20 5. Do you believe it should not be a crime to submit false statements in order to receive
21 disaster assistance?
- 22 6. Are you closely related (that is, a first cousin or closer) to any of the following people,
23 who all received disaster unemployment assistance payments on Rota following Typhoon
24 Pongsona: [see Attachment A].

25 **General Background**

- 26 7 In what village do you presently live? How long have you lived at your present
27 residence?
- 28 8. Where were you born?

- 1 9. What is your present marital status?
- 2 10. What is your present occupation? Please state your work history, including
- 3 periods not employed. If retired, please state your work history prior to retirement
- 4 and state when you retired.
- 5 11. What is your spouse's present occupation?
- 6 12. Please state your spouse's work history, including periods not employed.
- 7 13. If you have ever been married before, please state the occupation of your previous
- 8 spouse(s) for the five year period preceding the end of the marriage, and briefly
- 9 describe the employment of the former spouse(s).
- 10 14. Do you have any children? If so, what are their names, ages, and sex? If any of
- 11 them are adults, what are their occupations?
- 12 15. Do you have any health problems which may affect your service as a juror? If so,
- 13 state briefly the nature of the problem.
- 14 16. Do you require regular or frequent medication or medical care and attention?
- 15 17. Have you completed high school, college, or graduate school, and what, if any,
- 16 was your area of concentration (major etc.)?
- 17 18. Are you presently a student? If so, state the school you are attending, your grade
- 18 level, and your area(s) of concentration.
- 19 19. Do you have any religious, moral, or personal reasons which would prevent your sitting
- 20 in judgment on another person?
- 21 20. If you have learned something about this case or about the prosecution or the defendant,
- 22 have you formed or expressed an opinion about the guilt or innocence of the defendant
- 23 with reference to the charges in this case? If yes, state the opinion you have formed or
- 24 expressed.
- 25 21. Do you know of any reason you could not serve as a fair and impartial juror in this
- 26 particular case? If yes, please explain.

27 **Military Service**

- 28 22. Have you ever served in the military? If so, what branch? What rank did you attain?

23. Where did you serve?

24. Have you had any experience with military trials or military justice? If so, please describe.

Exposure to Law, Law Enforcement

25. Have you, any member of your family, or a close personal friend ever been accused of any crime?

26. Have you ever been arrested?

27. Has any close friend or family member ever been arrested?

28. Have you, a family member or a close personal friend ever been convicted of a crime or misdemeanor? If yes, please explain.

29. Have you, or any family member ever been a witness in a criminal or civil case? If so, please explain.

30. Have you ever had any direct contact with the police as a victim, witness, suspect, etc.? If so, please describe the circumstances.

31. Do you feel that the law enforcement agency involved conducted itself properly?

32. Have you, any family member or close personal friend ever been employed or associated with a lawyer who practices criminal law? If yes, give details.

33. Do you or your relatives or close friends have any pending lawsuits or claims against the United States or any of its agencies? If so, please describe the circumstances surrounding these claims.

34. Please explain your past experience on juries in both civil and criminal cases. Tell us when the case was tried and the nature of the case. Without telling me whether or not the jury found the defendant guilty or not guilty, please tell me whether or not the jury actually reached a verdict. Would you be influenced in any way by your previous experience as a juror?

35. Do you have any fixed view about the United States Department of Justice, the United States Federal Emergency Management Administration, the United States Department of Labor, the Federal Bureau of Investigation, the United States Attorney's Office, or the

1 CNMI Department of Labor that would affect your ability to be an impartial juror in this
2 case?

3 36. Do you believe that federal criminal law should not be enforced in the CNMI?

4 37. Most of us during our lives have in one way or another come into contact with law
5 enforcement officers. Have any of these experiences made you feel one way or another
6 about law enforcement officers? If so, what are these feelings?

7 38. Would you tend to believe the testimony of a witness just because that witness is a law
8 enforcement officer and for no other reason? Or, on the other hand, would you tend not
9 to believe the testimony of a witness just because that witness is a law enforcement
10 officer?

11 39. Have any of you ever witnessed the commission of a crime? What type of crime? What
12 was the outcome of the case? Would you be influenced in any way by your experience as
13 a witness to a crime?

14 **Witnesses/Attorneys**

15 40. Are any of you friendly or associated or related with the attorneys for the United States or
16 for the defense in this case, either socially or through your role as jurors in other cases? If
17 so, please explain the nature of your contact and how it may affect your attitude as a juror
18 in this case.

19 41. Do any of you know any of the witnesses who might testify? If so, please describe your
20 acquaintance. If you know any of these people, would you be able to lay aside that
21 acquaintanceship and be guided by the evidence presented in this case and by the law
22 given by the Judge?

23 42. One or more of the government's witnesses may have entered into an agreement with the
24 government under which they will not be prosecuted. The court will instruct you to
25 consider the testimony of such a witness with greater caution than that of an ordinary
26 witness. Do you think you can listen to a witness that has entered into an agreement with
27 the government, and decide whether he or she is telling the truth and in some cases return
28

1 a verdict of guilty based on the testimony, even though you do not like the witness or do
2 not approve of the arrangement the government has made with the witness?

3 43. Do any of you know the defendant or his family members socially or through some
4 business or other relationship or acquaintanceship? If so, please describe the relationship
5 or acquaintanceship. Would it be embarrassing and perhaps even painful to have to
6 return a verdict against the defendant when you are so acquainted with the defendant or
7 his family?

8 44. Does the identity of any of the defendant's relatives cause any of you any concern for any
9 reason?

10 45. Would the identity of any of the defendant's relatives affect your consideration of the
11 case in any way?

12 46. Is there any other reason why you could not sit as a juror in this case because of who the
13 defendant is, who his relatives are, or because of any witness that may testify in this case?

14 **Activities, Sources of Information**

15 47. What are your primary sources of information and news?

16 48. What newspapers or magazines do you read?

17 49. How often do you read the newspapers?

18 50. Do you regularly listen to or watch local or national news?

19 51. What are your favorite television shows?

20 52. What are your special interests, hobbies, and recreational pursuits?

21 53. Are you or any member of your family active in any civic, community, fraternal, or
22 church/religious activities? If so, please briefly describe them.

23 54. Are you or any member of your family active in any political activities at the present
24 time? If so, describe briefly.

25 55. Have you ever been an officer in any club or organization? If so, please describe.

26 **Jury Functions, Duties, and Responsibilities**

27 56. Do you have any problem with the concept that you will be instructed as to the law, but
28 that you are the sole and exclusive judges of the facts?

1 57. In arriving at a verdict, would you take into consideration all the facts and circumstances
2 rather than just singling out one factor alone?

3 58. Do you feel that you can keep an open mind and wait until you hear all the evidence and
4 the instructions on the law before making up your mind?

5 59. Do you feel that you can fairly render a verdict in his case according to the evidence and
6 the law and not allow the fear of the criticism from any source to influence your verdict?

7 **Other Matters**

8 60. Has anyone talked to you about this case or attempted to influence you in any way about
9 it since you were notified that you may be on the jury panel or even before you were so
10 notified?

11 61. If you are selected to sit on this case, will you be able to render a verdict solely on the
12 evidence presented at trial and the law as it is given to you? Can you disregard any ideas,
13 notions or beliefs about the facts or the law that you may have earlier encountered or
14 formed?

15 62. Some of you may have already heard something about this case. You might have read
16 about it in the newspaper or seen something about it on television. You might have
17 spoken to others about the case. You might have told people what you think about the
18 case. You might have heard other people express an opinion about the case. Can you set
19 aside all of that information, the impressions or opinions you have about the case, and
20 decide this case only on the evidence that will be presented to you during the course of
21 the trial and on the instructions of law that the court will give you?

22 63. Is there anyone here who has any other reason not mentioned by my previous questions
23 which they feel would make it difficult for them to sit fairly and impartially in this case?
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25
26
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28

Attachment A

Adriatico, Mercedes, H.
Agulto, Dolores R.
Agulto, Joaquina Rios
Aguon, Thelma L.
Apatang, Bernard T.
Apatang, Josephine C.
Atalig, Anthony T.
Atalig, Antonio C.
Atalig, Bradlee A.
Atalig, Carment B.
Atalig, Della Marie B.
Atalig, Dina Taga
Atalig, Elizabeth S.
Atalig, Evelyn C.
Atalig, Frances Hocog
Atalig, Jeremy J.
Atalig, Jerome T.
Atalig, Jessica
Atalig, Jim A.
Atalig, Jocelynn J.
Atalig, Lee Roy C. Jr.
Atalig, Lisa T.
Atalig, Ma. Nina D.
Atalig, Merlinda A.
Atalig, Mona Ann O.
Atalig, Nanette E.
Atalig, Rose C.
Atalig, Rosita S.
Atalig, Valerie Lynn T.
Atalig, Vincent T.
Aveina, Suni Sallina
Ayuyu, Agnes A.
Ayuyu, Alan M.
Ayuyu, Alvina A.
Ayuyu, Crispin M.
Ayuyu, Lucia T.
Ayuyu, Ma. Lea C.
Ayuyu, Patrick J.
Ayuyu, Terry T.
Babauta, Derick Anthony
Bamba, Christopher R.
Barcinas, Antoinette T.
Barcinas, Daniel M.

Barcinas, Elizabeth C.
Barcinas, Eva Lovette O.
Barcinas, Florencia M.
Barcinas, Frederick O.
Barcinas, Jake S.
Barcinas, Janice Sablan
Barcinas, Johana B.
Barcinas, Lorenza O.
Barcinas, Lucinda T.
Barcinas, Nathan A.
Barcinas, Thomas A.
Barcinas, Tonicia S.
Barcinas, Trisna Santos
Barcinas, Victorina T.
Batoon, Carmen C.
Benavente, Frank S.
Benavente, John S.
Cabrera, Brenda T.
Cabrera, Jesswal Q.
Cabrera, Jesus DLC.
Cabrera, John Peter SN.
Cabrera, Lorraine SN
Cabrera, Manuel M.
Cabrera, Raymond SN
Cabrera, Steve B.
Cabrera, Zorana B.
Calvo, Beato M.
Calvo, Cecile T.
Calvo, Consalacion T.
Calvo, Delbert D.
Calvo, Gerald M.
Calvo, Iris A.
Calvo, Joshua M.
Calvo, Julita A.
Calvo, Lydia D.
Calvo, Maxine D.
Calvo, Patricia B.
Calvo, Robert M.
Calvo, Tomomi I.
Calvo, Zelda Gale H.
Camacho, Antonio S.
Camacho, Joey Q.
Camacho, Joey Q.
Castro, Cass Axel T.
Castro, Jesse Andrew A.

Castro Macrina D.
Castro, Ramon M.
Catubay, Demy Andrew
Charfauros, Janella B.
Charfauros, Moses Cabre
Charfauros, Sonny
Charfauros, Vanessa-Lyn
Charfauros, Wanda Jo
Cing, Florentina
Cruz, Alvilyn
Cruz, Alvin
Cruz, Avery Margarita
Cruz, Peter Paul T.
Cruz, Alvin A.
Diaz, Jason M.
Diaz, Roger Wayne
Emesiochl, Takamatsu
Estacio, Lydia M.
Flawau, Rona Rachel A.
Fujihira, Beverly T.
Fujihira, Maria T.
Fujihira, Nora T.
Galinato, Joaquina T.
Greathouse, Virginia M.
Guillermo, Maria H.
Haruo, Chandra S.
Hattori, Rosalind T.
Heinrich, Clarita
Hocog, Bernadita C.
Hocog, Flavian B.
Hocog, Geovan M.
Hocog, Joel O.
Hocog, Melissa O.
Hocog, Pete S.
Hocog, Shirley A.
Hocog, Tito II S.
Hocog, Victor B.
Hossain, Kamal
Inos, Wilber M.
Isope, Bugak E.
Jackson, Anna H.
Jacob, Anita King
Jacob, Owen K.
Jingco, Riza B.
Kong, John Conception

Kisa, Anicia ouise I.
Ladore, Medson S.
Lizama, Fred R.
Lizama, Josephine R.
Lizama, Prescilla M.
Magofna, Stellita T.
Manglona, Albert T.
Manglone, Alyssa M.
Manglone, Amanda
Manglona, Angela M.
Manglonea, Antonioa M.
Manglonea, Barbara C.
Manglona, Catalina Mend
Manglona, Franklin W.
Manglona, Frederick Ata
Manglona, Gaylord M.
Manglona, Gerald V.
Manglona, Glen H. Sr.
Manglona, Glenn C.
Manglona, Jacki G.
Manglona, Mennifer A.
Manglona, Jermame J.
Manglona, Jessie B.
Manglona, Joan A.
Manglona, Joaquina C.
Manglona, Juana H.
Manglona, Kerry james
Manglona, Lilyleeh A.
Manglona, Molly
Manglona, Norma A.
Manglona, Ricky M.
Manglona, Ryan I.
Manglona, Therese B.
Manglona, Tina L.
Manglona, Villia M.
Manglona, Vincent C.
Manglona, Virgina M.
Manibusan, John Lee H.
Manibusan, Pedro R.
Manibusan, Peter A.
Maratita, Alexander
Maratita, Bergitt M.
Maratita, Catalina M.
Maratita, Christopher A.
Maratitia, Dominic C.

Maratita, Emilia E.
Maratita, Fermin C.
Maratita, Francisco M.
Maratita, Joanna L.
Maratita, Joseline D.
Maratita, Julita
Maratita, Julynn M.
Maratita, Rita
Maratita, Robert L.
Maratitia, Rosa A.
Maratita, Rosa C.
Masga, Camey B.
Masga, Carmen B.
Masga, Christine Solomo
Masga, Claudia B.
Masga, Francisca E.
Masga, Glenn Joe Borja
Masga, Jovaena B.
Masga, Marie Jay P.
Masga, Rosemarie B.
Masga, Sharlene B.
Masga, Vincent B.
Matagolai, Ruth Marie
Mendiola, Anginette S.
Mendiola, Antonia M.
Mendiola, Balbina A.
Mendiola, Cecilia R.
Mendiola, Darren Ayuyu
Mendiola, Delvira A.
Mendiola, Dexter M.
Mendiola, Dolores A.
Mendiola, Edward A.
Mendiola, Elizabeth S.
Mendiola, Felix T.
Mendiola, Fidel S., Jr.
Mendiola, John Anthony
Mendiola, Lino W.
Mendiola, Lolida S.
Mendiola, Melchor A.
Mendiola, Michelle J.
Mendiola, Michelle J.
Mendiola, Nicolas M.
Mendiola, Nook J.
Mendiola, Otton T.
Mendiola, Ruth Marie

Mendiola, Sabina Weilba
Mendiola, Thomas D.
Mendiola, Trent James
Mendiola, William B.
Mendiola, Geraldine C.
Mereb, Maria T.
Mereb, Pilar Rita T.
Mereb, Ramona T.
Mesa, Luis M.
Mesngon, Floria P.
Mesngon, Juan Pedro K.
Mesngon, Lorita L.
Mesngon, Quindy K.
Mesngon, Selma M.
Mesngon, Sheena Ann M.
Mundo, Nobert II H.
Nakatsukasa, Renee
Ogo, Alicia M.
Ogo, Andresina M.
Ogo, Bernice A.
Ogo, Candida M.
Ogo, Cecile M.
Ogo, Clifford M.
Ogo, Ermalynn O.
Ogo, Jamie O.
Ogo, Jolla S.
Ogo, Justin A.
Ogo, Maria O.
Ogo, Patrick M.
Ogo, Riva SN
Ogo, seravin M.
Ogomuru, Lipina A.
Orilla, Edwin J.
Pak, Douglas
Palma, Norma A.
Pangelinan, Felisa
Pangelinan, Rose Sablan
Paul, Lester Lee M.
Peckich, Ladonna Lynn
Pendergrass, Desseree T.
Pinaula, Arleen SN
Pinaula, Arlinda A.
Pinaula, Manuel Jr.
Pinaula, Nicole A.
Pinaula, Patcita SN

Pinaula, Roz A.
Pinaula, Yvonne A.
Puerto, Iomita E.
Quichocho, Michael M.
Quinata, Evelina Semana
Quintanilla, Alfonso O.
Quitugua, Claudia Ann
Quitugua, Danny Vincent
Quitugua, Hacinta T.
Quitugua, Higinio Q.
Quitugua, Lucia B.
Quitugua, Melanie B.
Quitugua, Petramillia M.
Quitugua, Roseanne Bab
Quitugua, Valerie DLC
Ramos, Andrew M.
Ramos, Joleen A.
Rangamar, Carmen C.
Rangamar, Teresita L.
Ranion, Benedicta C.
Richards, Adela Trisha
Richards, Regina Masga
Romolor, Pedro L.
Romolor, Romeo L.
Rosario, Clotilde SN
Raosario, Sydney SN.
Sabangan, Jacinto A. Jr.
Sablan, Andrea T.
Sablan, Elden M.
Sablan, Faustina T.
Sablan, Lolita A.
Sablan, Therese C.
Sakisat, Joseph Oscar H.
Salas, Flowerpot T.
San Nicolas, Carla M
San Nicolas, Chevy C.
San Nicolas, Crisencia
San Nicolas, Gerald Ant
San Nicolas, Jacqueline
San Nicolas, Victoria P.
Sanchez, Arlene C.
Santos, Elaine Q.
Santos, Lucinda
Santos, Rudy M. Jr.
Santos, Tara Lynn M.

Semana, Donicia H.
Semilla, Monica H.
Sikebert, Alex O.
Sikebert, Anghelina T.
Sikebert, Jacob M.
Sikebert, Johnny Tmilch
Sikebert, Michael C.
Songao, Beata S.
Songao, Saisy A.
Songson, Vincent M.
Subediang, Melinton
Suzuki, Akilino A.
Suzuki, Ignacio M.
Taga, Francisco SN
Taimanao, Audrie Lynn M.
Taimanao, Gerladine M.
Taimanao, Irvin M.
Taimanao, Ledine Manley
Taimanao, Lee Marvin M.
Taimanao, Martin S.
Taimanao, May Ann A.
Taimanao, Rosita M.
Taimanao, Sixto A.
Taisacan, Abraham E.
Taisacan, Carmen C.
Taisacan, Francis Jr.
Taisacan, Josephine SN
Taisacan, Richard E.
Taisacan, Terrence M.
Taitano, Zachary M.
Takeshi, Merkii
Toves, Tilford S.
Toves, Albert S.
Toves, Chishanti M.
Toves, Joella M.
Toves, Juliana M.
Toves, Memory L
Tudela, Michael Masga
Ulloa, Blair M. (Mark
Ulloa, Darla Ann
Ulloa, Darrel Mesngon
Ulloa, Felix U.
Ulloa, Julie S.
Ulloa, Raymond M.
Ulloa, Van Wesley Mesng

Valdrez, Clara M.

Weilbacher, Loryanne S.

Weilbacher, Rockhudson

Yamada, Umeko S.

Camacho, Joseph O.

Mundo, Nobert H.